

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: <u>3/22/2019</u>

13 Civ. 7789 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, by letters to Chambers dated February 21, 2019, through February 26, 2019, Plaintiffs requested leave to file in redacted form or under seal Plaintiffs' Motions for Issuance of a Hague Convention Request for International Judicial Assistance to Take Testimony Overseas and supporting papers;

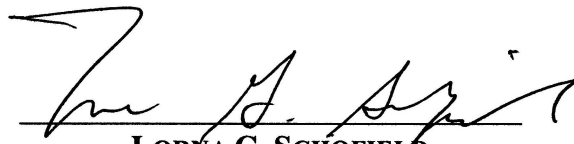
WHEREAS, on March 21, 2019, Defendant Credit Suisse withdrew its request that the Court hold Plaintiffs' Hague Convention requests in abeyance. It is hereby

**ORDERED** that Plaintiffs' redaction and seal requests are **GRANTED** with respect to the following Hague Convention requests: Richard Usher (letter dated February 21, 2019), Christopher Ashton (letter dated February 22, 2019), Ian Drysdale (letter dated February 25, 2019), Matthew Gardiner (letter dated February 25, 2019), Gordon Andrew (letter dated February 26, 2019) and Paul Nash (letter dated February 26, 2019). By **March 29, 2019**, Plaintiffs shall file the foregoing Hague Convention requests and supporting papers in redacted form and/or under seal as outlined in Plaintiffs' letters. Although "[t]he common law right of public access to judicial documents is firmly rooted in our nation's history," this right is not absolute, and courts "must balance competing considerations against" the presumption of access. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119–20 (2d Cir. 2006) (internal quotation marks omitted); *see also Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 599 (1978) ("[T]he decision as to access is one best left to the sound discretion of the trial court, a discretion to be exercised in light of the

relevant facts and circumstances of the particular case.”). Filing the above-referenced documents in redacted form is necessary to prevent the unauthorized dissemination of confidential business information. It is further

**ORDERED** that by **March 29, 2019**, Plaintiffs shall submit to Chambers a paper copy of the foregoing Hague Convention requests without any highlighting or redactions. Plaintiffs need not submit the supporting papers or exhibits.

Dated: March 22, 2019  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**